

CHARTER
STRATEGIC ENVIRONMENTAL RESEARCH
AND
DEVELOPMENT PROGRAM SCIENTIFIC ADVISORY BOARD

1. Committee's Official Designation (title): The Committee shall be known as the Strategic Environmental Research and Development Program Scientific Advisory Board (hereafter referred to as the Advisory Board).
2. Authority: Pursuant to 10 U.S.C. § 2904(a) the Secretary of Defense and the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency, shall jointly establish a Strategic Environmental Research and Development Program Scientific Advisory Board. The Advisory Board, pursuant to 10 U.S.C. § 2904, shall operate and comply with the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended).
3. Objectives and Scope of Activities: Pursuant to 10 U.S.C. § 2902 and 10 U.S.C. § 2904(e), the Strategic Environmental Research and Development Program Council (hereafter referred to as the Council) shall refer to the Advisory Board, and the Advisory Board shall review, each proposed research project including its estimated cost, for research in and development of technologies related to environmental activities in excess of \$1,000,000. Notwithstanding, the Council, in an effort to enhance the Advisory Board's review process, subsequently lowered the Advisory Board's dollar threshold to any proposed research projects in excess of \$900,000. The Advisory Board shall make any recommendations to the Council that the Advisory Board considers appropriate regarding such project or proposal.
4. Description of Duties: The Advisory Board may make recommendations to the Council regarding technologies, research, projects, programs, activities, and, if appropriate, funding within the scope of the Strategic Environmental Research and Development Program. In addition, the Advisory Board shall assist and advise the Council in identifying the environmental data and analytical assistance activities that should be covered by the policies and procedures prescribed pursuant to 10 U.S.C. § 2902(d)(1).
5. Agency or Official to Whom the Committee Reports: Pursuant to 10 U.S.C. § 2904(e), the Advisory Board shall make any recommendations to the Council that the Advisory Board considers appropriate regarding projects or proposals.
6. Support: The Department of Defense, through the Office of the Deputy Under Secretary of Defense (Science and Technology), shall provide support as deemed necessary for the performance of the Advisory Board's functions, and shall ensure compliance with the requirements of 5 U.S.C., Appendix, as amended.
7. Estimated Annual Operating Costs and Staff Years: It is estimated that the operating costs, to include travel costs and contract support, for the Advisory Board shall be \$343,700.00. The estimated annual personnel costs to the DoD are 0.8 full-time equivalents.

8. Designated Federal Officer: The Designated Federal Officer, pursuant to DoD policy shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures. In addition, the Designated Federal Officer and/or Alternate Designated Federal Officer shall attend all Board and subcommittee meetings.
9. Estimated Number and Frequency of Meetings: The Advisory Board shall meet at the call of the Designated Federal Officer, in consultation with the Co-Chairpersons. Pursuant to 10 U.S.C. § 2904(d), the estimated number of Advisory Board meetings is four per year.
10. Duration: The need for this advisory function is on a continuing basis; however, it is subject to renewal every two years.
11. Termination: The Advisory Board shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner, or unless it is extended by the Secretary of Defense and the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency.
12. Membership and Designation: The Advisory Board, pursuant to 10 U.S.C. § 2904(a), shall be comprised of not less than six and not more than 14 members. Pursuant to 10 U.S.C. § 2904(b), the Advisory Board membership shall be comprised of the following:
 - a. Permanent members of the Advisory Board – the Science Advisor to the President, the Administrator of the National Oceanic and Atmospheric Administration or their designees;
 - b. One member of the Advisory Board shall be a representative of environmental public interest groups; and
 - c. One member shall be a representative of the interests of State governments.

Pursuant to 10 U.S.C. § 2904(b)(3), the Secretary of Defense and the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency, shall request that the:

- a. Head of the National Academy of Science, in consultation with the head of the National Academy of Engineering and the head of the Institutes of Medicine of the National Academy of Sciences, nominate persons for appointment to the Advisory Board;
- b. Council of Environmental Quality nominate for appointment to the Advisory Board at least one person who is a representative of environmental public interest groups; and
- c. National Association of Governors nominate for appointment to the Advisory Board at least one person who is a representative of the interests of State governments.

With the exception of the permanent Advisory Board members, Advisory Board members, pursuant to 10 U.S.C. § 2904(b)(2), shall be appointed by the Secretary of Defense from among persons eminent in the fields of basic sciences, engineering, ocean and environmental sciences, education, research management, international and security affairs, health physics, health sciences, or social sciences, with due regard given to the equitable representation of scientists and engineers who are women or who represent minority groups.

The Advisory Board, pursuant to 10 U.S.C. § 2904(d), shall develop procedures for the annual election of the Advisory Board's chairperson.

Advisory Board members appointed by the Secretary of Defense, who are not full-time or permanent part-time federal officers or employees, shall be appointed as experts and consultants under the authority of 5 U.S.C § 3109, and serve as Special Government Employees. The terms of their appointment shall not be less than two but not more than four years and their appointments shall be reviewed by the Secretary of Defense on an annual basis.

Advisory Board members who are Federal officers or employees shall serve without compensation (other than compensation to which they are entitled to as a Federal officer or employee). All Advisory Board members shall receive compensation for travel and per diem for official Advisory Board travel.

13. Subcommittees: With DoD approval, the Advisory Board shall be authorized to establish subcommittees, as necessary and consistent with its mission, and these subcommittees or working groups shall operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended), and other appropriate Federal regulations.

Such subcommittees or workgroups shall not work independently of the chartered Advisory Board, and shall report all their recommendations and advice to the Advisory Board for full deliberation and discussion. Subcommittees or workgroups have no authority to make decisions on behalf of the chartered Advisory Board nor can they report directly to the Department of Defense or any Federal officers or employees who are not Advisory Board members.

14. Recordkeeping: The records of the Advisory Board and its subcommittees shall be handled according to section 2, General Record Schedule 26 and appropriate DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date: July 13, 2009